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| 466 7590 09/10/2007 YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202 | | | EXAMINER NASH, LASHANYA RENEE | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/914,733

Applicant(s)

JONES ET AL.

Examiner

LaShanya R. Nash

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,7,9-15,17,18 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,7,9-15, 17-18, 20-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to an amendment filed 11 June 2007. Claims 2-4, 6, 8, 16 and 18 are cancelled. Claims 1, 5, 9, 10, 11, 15, 17, 18, 20, and 22 are amended. Claims 24-26 are new. Claims 1, 5, 7, 9-15, 17-18, 20-26 are presented for further consideration.

Response to Arguments

Applicant's arguments with respect to amended claims 1, 5, and 22 have been considered but are moot in view of the new grounds of rejection under newly found prior art Sathyanarayan et al. (US Patent 6,304,904), as set forth below in the Office action.

Applicant's arguments filed 11 June 2007 have been fully considered but they are not persuasive.

In considering Applicant's arguments, the following factual remarks are noted:

- (I) Applicant contends that the blocking program taught in Russell-Falla teaches the blocking computer must be installed on each user computer and the user computers must be each trained to block particular content types based on the text expressions.
- (II) Applicant contends that none of the references as found to disclose the statistic modeling arrangement further having a third statistical modeling module adapted to provide a third content category prediction based on a count of occurrences of words in the content patterns matching words in a list of known undesirable words, and the

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analyzing means applying a weighted formula to the first, second, and third content category classification predictions.

In considering (I), Applicant contends that the blocking program taught in Russell-Falla teaches the blocking computer must be installed on each user computer and the user computers must be each trained to block particular content types based on the text expressions. Examiner respectfully disagrees. Examiner asserts that Russell-Falla explicitly discloses the aforementioned blocking software is employed on a proxy server (Figure 1-item 10), located upstream from a client in order to analyze transmitted information prior to the downloading and subsequent displaying on the client via a web browser (column 4, line 65-column 5, line 12). Therefore, through employing the aforementioned blocking proxy server it is evident that the blocking features do not have to be loaded and subsequently implemented on the user computer systems, as suggested by Applicant. Furthermore, in order to clearly teach the limitations of analyzing information before it is transmitted to the user computer, the Examiner applied Theriault, to evidence the obviousness of a proxy server located away from the client employed to capture network packets prior to reaching the remote user communication terminal.

In considering (II), Applicant contends that none of the references as found to disclose the statistic modeling arrangement further having a third statistical modeling module adapted to provide a third content category prediction based on a count of occurrences

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of words in the content patterns matching words in a list of known undesirable words, and the analyzing means applying a weighted formula to the first, second, and third content category classification predictions. Examiner respectfully disagrees. Examiner asserts that Russell-Falla explicitly teaches statistical modeling for predicting content category based on a count of occurrences of words in the content patterns, (i.e. frequency of occurrence; column 6, lines 11-15; column 7, lines 19-29). Therefore, the Examiner rejects newly added claims as set forth below in the Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 7, 9-14, and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al. (US Patent 6,266,664), in view of Theriault et al. (US Patent 6,049,821) and Sathyanarayan et al. (US Patent 6,304,904), hereinafter referred to as Russell-Falla and Theriault and Sathyanarayan.

In reference to claim 1, Russell-Falla discloses a method and system for scanning, analyzing, and rating digital content to accurately identify instances of that category within a real-time data stream (abstract; column 2, lines 49-56). Russell-Falla explicitly discloses:

- An apparatus (i.e. proxy server; Figure 1-item 10; column 4, lines 45-column 5, line 5) for classifying information transmitted over a communication network (i.e. Internet; column 1, line 38- column 2, line 10) into content category classifications (i.e. specific category of information; column 5, lines 5-35), the apparatus comprises:
- A means for (i.e. proxy server) capturing network packets one or more transmission interaction characteristics (i.e. extracted expressions) in a session of transmission of information (i.e. training data; Figure 2-item 70) from an information supplying communication terminal towards a remote user communication terminal on a path of the communications network (i.e. intercepting content in real time data stream; column 2, lines 49-52; column 4, line 67-column 5, line 3; column 6, lines 3-64) said one or more transmission interaction characteristics including at least one of a network protocol, data and time stamps, size of text and image transmission activities, (i.e. expressions of words and phrases; column 6, lines 35-48), and variations in content patterns within of the transmission; and
- Analyzing means arranged to compare an of the interaction characteristics with corresponding interaction characteristics of known information contained in a list of predetermined content category classifications of information (Figure 1-items 30, 34; column 5, lines 3-20), and having a statistical modeling arrangement (i.e. rating; column 5, lines 20-35) for predicting a content classification of the information (i.e.

- predictive of the selected type of content; column 6, lines 60-65) based on the one or more transmission interaction characteristics, (i.e. expressions statistically analyzed to determine target attributes that are indicative of a particular type of content; column 6, line 66-column 7, line 37) the content category classification prediction being free of any user input and free of any relevancy as to a particular user (i.e. prediction information accumulated over a large set of training data; column 6, lines 49-65); and
- the analyzing means applying a weighted formula to content category predictions to provide the content category prediction, (column 5, lines 12-35; column 7, lines 35-59);
 - wherein the apparatus is arranged to respond to the predicted content category classification of the captured interaction characteristics provided by the analyzing means to prevent the captured packets of any interaction characteristics with a predicted classification listed as undesirable from being forwarded along the path to the remote user communications terminal (column 6, lines 3-35)

Although Russell-Falla discloses substantial features of the claimed invention, the reference fails to show: the packets being captured prior to the packets reaching the remote terminal; packets of information having at least one image, and the packet containing a network protocol, a network address of the information supplying terminal, and a network address of the remote terminal, and a portion of the information; and the one or more transmission interaction characteristics including size of image

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transmission activities, ratio of image to text transmission activities. Nonetheless, these features were well known in the art at the time of invention, as further evidenced by Theriault. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to accordingly modify the apparatus of Russell-Falla.

In an analogous art, Theriault discloses a proxy server employed to controlling access to information that is potentially undesirable to the user (abstract). Theriault discloses: packets being captured prior to the packets reaching the remote terminal (column 3, line 62-column 4, line 9; column 5, lines 11-17); the packets of information having at least one image (column 3, line 66-column 4, line 1), and the packet containing a network protocol (column 14, line 60-column 15, line 7), a network address of the information supplying terminal (i.e. source URL; column 8, lines 3-12; column 15, lines 8-18), and a network address of the remote terminal (i.e. user's IP address; column 9, lines 30-45), and a portion of the information (i.e. modifications based on content; column 15, lines 35-65); and the one or more transmission interaction characteristics including size of image transmission activities, ratio of image to text transmission activities (information characteristics; column 5, lines 22-32). One of ordinary skill in the art would have been so motivated to accordingly modify the of apparatus of Russell-Falla so control access to data (i.e. image files) that contains undesirable material users would like to have filter out, thereby reducing the amount of data transferred and associated costs (Theriault; column 3, line 62-column 4, line 9). However, the references fail to disclose the statistical modeling arrangement having a first statistical modeling module adapted to provide a first content category prediction

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based on the size of image transmission activities, and a second statistical modeling module adapted to provided a second content category prediction based on the ratio of image to text transmission activities. Nonetheless, these features were well known in the art at the time of invention, as further evidenced by Sathyanarayan. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to accordingly modify the apparatus of Russell-Falla and Theriault.

In an analogous art, Sathyanarayan discloses an apparatus for collecting page-level statistics for a requested web page processed by network devices (abstract). Sathyanarayan further discloses the statistical modeling arrangement having a first statistical modeling module adapted to provide a first content category prediction based on the size of image transmission activities (column 5, lines 39-67; column 6, lines 33-52), and a second statistical modeling module adapted to provided a second content category prediction based on the ratio of image to text transmission activities (i.e. number of text and image objects; column 5, lines 39-67; column 6, lines 18-32). One of ordinary skill in the art would have been so motivated to accordingly modify the apparatus of Russell-Falla and Theriault, so as to apply known techniques for collecting statistics at a page level and further an object level (i.e. text, images) thereby applying these statistics for providing the most meaningful end-user visible performance metrics (Sathyanarayan; column 5, lines 51-54).

In reference to claim 5, Russell-Falla discloses a method and system for scanning, analyzing, and rating digital content so as to potentially block content that is

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unsuitable or harmful to a specific user (abstract; column 2, lines 57-62). Russell-Fall explicitly discloses:

- An apparatus (i.e. proxy server; Figure 1-item 10; column 4, lines 45-column 5, line 5) for classifying user profiles of users accessing information or content servers (i.e. threshold rating based on user; column 3, lines 10-30) transmitted over a communication network (i.e. Internet; column 1, line 38- column 2, line 10) into content category classifications (i.e. specific category of information; column 5, lines 5-35), the apparatus comprises:
- A means for (i.e. proxy server) capturing network packets one or more transmission interaction characteristics (i.e. extracted expressions) in a session of transmission of information (i.e. training data; Figure 2-item 70) from a user communication terminal provided by any one of the content servers towards a remote user communications terminal on a path of the communications network (column 4, line 67-column 5, line 3; column 6, lines 3-64), the capture being prior to the packets reaching the remote terminal (i.e. intercepting content in real time data stream; column 2, lines 49-52; column 6, lines 3-9) said one or more transmission interaction characteristics including at least one of a network protocol, data and time stamps, size of text and image transmission activities, (i.e. expressions of words and phrases; column 6, lines 35-48), and variations in content patters within of the transmission; and

- Analyzing means arranged to compare an of the interaction characteristics with corresponding interaction characteristics of known information contained in a list of predetermined content category classifications of information (Figure 1-items 30, 34; column 5, lines 3-20), and having a statistical modeling arrangement (i.e. rating; column 5, lines 20-35) for predicting a content classification of the information (i.e. predictive of the selected type of content; column 6, lines 60-65) based on the one or more transmission interaction characteristics, (i.e. expressions statistically analyzed to determine target attributes that are indicative of a particular type of content; column 6, line 66-column 7, line 37) the content category classification prediction being free of any user input and free of any relevancy as to a particular user (i.e. prediction information accumulated over a large set of training data; column 6, lines 49-65),
- Means for classifying user profiles in accordance with the predicted content category classification (i.e. user selected threshold level; column 5, lines 35-65); and
- the analyzing means applying a weighted formula to content category predictions to provide the content category prediction, (column 5, lines 12-35; column 7, lines 35-59);
- wherein the apparatus is arranged to respond to the predicted content category classification of the captured interaction characteristics provided by the analyzing means to prevent the captured packets of any interaction

characteristics with a predicted classification listed as undesirable from being forwarded along the path to the remote user communications terminal (column 6, lines 3-35).

Although Russell-Falla discloses substantial features of the claimed invention, the reference fails to show: the packets being captured prior to the packets reaching the remote terminal; packets of information having at least one image, and the packet containing a network protocol, a network address of the information supplying terminal, and a network address of the remote terminal, and a portion of the information; and the one or more transmission interaction characteristics including size of image transmission activities, ratio of image to text transmission activities. Nonetheless, these features were well known in the art at the time of invention, as further evidenced by Theriault. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to accordingly modify the apparatus of Russell-Falla.

In an analogous art, Theriault discloses a proxy server employed to controlling access to information that is potentially undesirable to the user (abstract). Theriault discloses: packets being captured prior to the packets reaching the remote terminal (column 3, line 62-column 4, line 9; column 5, lines 11-17); the packets of information having at least one image (column 3, line 66-column 4, line 1), and the packet containing a network protocol (column 14, line 60-column 15, line 7), a network address of the information supplying terminal (i.e. source URL; column 8, lines 3-12; column 15, lines 8-18), and a network address of the remote terminal (i.e. user's IP address; column 9, lines 30-45), and a portion of the information (i.e. modifications

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based on content; column 15, lines 35-65) ; and the one or more transmission interaction characteristics including size of image transmission activities, ratio of image to text transmission activities (information characteristics; column 5, lines 22-32). One of ordinary skill in the art would have been so motivated to accordingly modify the of apparatus of Russell-Falla so control access to data (i.e. image files) that contains undesirable material users would like to have filter out, thereby reducing the amount of data transferred and associated costs (Theriault; column 3, line 62-column 4, line 9). However, the references fail to disclose the statistical modeling arrangement having a first statistical modeling module adapted to provide a first content category prediction based on the size of image transmission activities, and a second statistical modeling module adapted to provided a second content category prediction based on the ratio of image to text transmission activities. Nonetheless, these features were well known in the art at the time of invention, as further evidenced by Sathyanarayan. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to accordingly modify the apparatus of Russell-Falla and Theriault.

In an analogous art, Sathyanarayan discloses an apparatus for collecting page-level statistics for a requested web page processed by network devices (abstract). Sathyanarayan further discloses the statistical modeling arrangement having a first statistical modeling module adapted to provide a first content category prediction based on the size of image transmission activities (column 5, lines 39-67 column 6, lines 33-52), and a second statistical modeling module adapted to provided a second content category prediction based on the ratio of image to text transmission activities (i.e.

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number of text and image objects; column 5, lines 39-67; column 6, lines 18-32). One of ordinary skill in the art would have been so motivated to accordingly modify the apparatus of Russell-Falla and Theriault, so as to apply known techniques for collecting statistics at a page level and further an object level (i.e. text, images) thereby applying these statistics for providing the most meaningful end-user visible performance metrics (Sathyanarayan; column 5, lines 51-54).

In reference to claim 22, Russell-Falla discloses a method and system for scanning, analyzing, and rating digital content to accurately identify instances of that category within a real-time data stream (abstract; column 2, lines 49-56). Russell-Fall explicitly discloses:

- An apparatus (i.e. proxy server; Figure 1-item 10; column 4, lines 45- column 5, line 5) for classifying information transmitted over a communication network (i.e. Internet; column 1, line 38- column 2, line 10) into content category classifications (i.e. specific category of information; column 5, lines 5-35), the apparatus comprising:
- A capture means for (i.e. proxy server) network packets one or more transmission interaction characteristics (i.e. extracted expressions) in a session of transmission of information (i.e. training data; Figure 2-item 70) from an information supplying communication terminal towards a remote user communication terminal on a path of the communications network

(column 4, line 67-column 5, line 3; column 6, lines 3-64), the capture being prior to the packets reaching the remote terminal (i.e. intercepting content in real time data stream; column 2, lines 49-52; column 6, lines 3-9) , captured content of each captured packet including: and contained text content (i.e. textual portions of the page; column 5, lines 3- 8);

- Characteristic obtaining means obtaining a transmission characteristic based on the content of the captured packets, the obtained transmission characteristics including at least one of data and time stamps, size of text and image transmission activities, (i.e. expressions of words and phrases; column 6, lines 35-48), and variations in content patterns within of the transmission (i.e. expressions of words and phrases; column 6, lines 35-48);
- Analyzing means arranged to compare an of the interaction characteristics with corresponding interaction characteristics of known information contained in a list of predetermined content category classifications of information (Figure 1-items 30, 34; column 5, lines 3-20), and having a statistical modeling arrangement (i.e. rating; column 5, lines 20-35) for predicting a content classification of the information (i.e. predictive of the selected type of content; column 6, lines 60-65) based on the one or more transmission interaction characteristics, (i.e. expressions statistically analyzed to determine target attributes that are indicative of a particular type of content; column 6, line 66-column 7, line 37) the content category

classification prediction being free of any user input and free of any relevancy as to a particular user (i.e. prediction information accumulated over a large set of training data; column 6, lines 49-65); and

- the analyzing means applying a weighted formula to content category predictions to provide the content category prediction, (column 5, lines 12-35; column 7, lines 35-59);
- wherein the apparatus is arranged to respond to the predicted content category classification of the captured interaction characteristics provided by the analyzing means to prevent the captured packets of any interaction characteristics with a predicted classification listed as undesirable from being forwarded along the path to the remote user communications terminal (column 6, lines 3-35).

Although Russell-Falla discloses substantial features of the claimed invention, the reference fails to show the packets being captured prior to the packets reaching the remote terminal; packets of information having at least one image, and the packet containing a network protocol, a network address of the information supplying terminal, and a network address of the remote terminal, and a portion of the information; and the one or more transmission interaction characteristics including size of image transmission activities, ratio of image to text transmission activities. Nonetheless, these features were well known in the art at the time of invention, as further evidenced by Theriault. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to accordingly modify the apparatus of Russell-Falla.

In an analogous art, Theriault discloses a proxy server employed to controlling access to information that is potentially undesirable to the user (abstract). Theriault discloses packets being captured prior to the packets reaching the remote terminal (column 3, line 62-column 4, line 9; column 5, lines 11-17); the packets of information having at least one image (column 3, line 66-column 4, line 1), and the packet containing a network protocol (column 14, line 60-column 15, line 7), a network address of the information supplying terminal (i.e. source URL; column 8, lines 3-12; column 15, lines 8-18), and a network address of the remote terminal (i.e. user's IP address; column 9, lines 30-45), and a portion of the information (i.e. modifications based on content; column 15, lines 35-65) ; and the one or more transmission interaction characteristics including size of image transmission activities, ratio of image to text transmission activities (information characteristics; column 5, lines 22-32). One of ordinary skill in the art would have been so motivated to accordingly modify the of apparatus of Russell-Falla so control access to data (i.e. image files) that contains undesirable material users would like to have filter out, thereby reducing the amount of data transferred and associated costs (Theriault; column 3, line 62-column 4, line 9). However, the references fail to disclose the statistical modeling arrangement having a first statistical modeling module adapted to provide a first content category prediction based on the size of image transmission activities, and a second statistical modeling module adapted to provided a second content category prediction based on the ratio of image to text transmission activities. Nonetheless, these features were well known in the art at the time of invention, as further evidenced by Sathyanarayan. Therefore, it

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would have been obvious for one of ordinary skill in the art at the time of the invention to accordingly modify the apparatus of Russell-Falla and Theriault.

In an analogous art, Sathyanarayan discloses an apparatus for collecting page-level statistics for a requested web page processed by network devices (abstract). Sathyanarayan further discloses the statistical modeling arrangement having a first statistical modeling module adapted to provide a first content category prediction based on the size of image transmission activities (column 5, lines 39-67; column 6, lines 33-52), and a second statistical modeling module adapted to provided a second content category prediction based on the ratio of image to text transmission activities (i.e. number of text and image objects; column 5, lines 39-67; column 6, lines 18-32). One of ordinary skill in the art would have been so motivated to accordingly modify the apparatus of Russell-Falla and Theriault, so as to apply known techniques for collecting statistics at a page level and further an object level (i.e. text, images) thereby applying these statistics for providing the most meaningful end-user visible performance metrics (Sathyanarayan; column 5, lines 51-54).

In reference to claim 7, Russell-Falla shows the apparatus further comprising means for (i.e. database; Figure 4-item 110) storing the one or more transmission interaction characteristics, (column 7, lines 38-45).

In reference to claim 9, Russell-Falla shows the apparatus wherein the one or more transmission characteristics are obtained from network packets or

fragments thereof, (i.e. content in real time data stream; column 2, lines 49-52; column 6, lines 38-48).

In reference to claim 10, Russell-Falla shows the apparatus wherein the analyzing means includes profiling means for providing profiles (i.e. collection of training pages) of interactions based on the one or more transmission interaction characteristics, (column 6, lines 49-65).

In reference to claim 11, Russell-Falla shows the apparatus wherein the profiling means is arranged to process the one or more transmission interaction characteristics for providing any one or more of: a frequency of interaction; a duration of interaction; a duration of absence of interaction; patterns of transmission; an average number of http links within an object of related sites; an average number of link sites visited within a time frame for forming interaction profiles (i.e. statistics from frequency of occurrence; column 6, line 67-column 7, line 29); and wherein the analyzing means is adapted to use the interaction profiles for predicting classifications, (i.e. statistics used to determine target attribute set for predicting a category; column 7, lines 30-60).

In reference to claim 12, Russell-Falla shows the apparatus further comprising a knowledge base of predetermined profiles (pre-existing database; column 5, lines 5-12), and analyzing means is adapted to predict a classification based on a

comparison between the profile of information to be classified and predetermined profiles, (i.e. match; column 5, lines 13-20; column 7, lines 19-29).

In reference to claim 13, Russell-Falla shows the apparatus further comprising means for updating the knowledge base so that the classification prediction can be enhanced following classifications, (i.e. as number of training pages increases, the accuracy of weighting data improves; column 7, lines 1-8; column 7, lines 38-60).

In reference to claims 15, 17-18 and 20-21 Russell-Falla shows the apparatus wherein the analyzing means compares each of the captured interaction characteristics obtained with the corresponding interaction characteristics of the known information contained in the list of predetermined content category classifications of information and predicts the content category classification of the unknown information based on the comparisons (column 5, lines 3-35) as undesirable content to be prevented from being forwarded to the remote user communications terminal (column 6, lines 3-36);

Sathyanarayan shows wherein the capturing means capturing from each packet the transmission interaction characteristics including each of:

- the size of image transmission activities (column 5, lines 39-67; column 6, lines 38-52);
- the size of text transmission activities (column 5, lines 39-67; column 6, lines 33-52);

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- the ratio of image to text transmission activities (column 5, lines 39-67; column 6, lines 33-52);
 - the variations in transmission word patterns within the packets of the transmission (i.e. transcoded data; column 3, lines 7-20; column 6, lines 33-52)
 - the date and time stamps (column 6, lines 33-52);
 - the variations in transmission content patterns within the packets of the transmission (. transcoded data; column 3, lines 7-20; column 6, lines 33-52);
- and

Therault shows the content classification of the unknown information based on the comparisons as undesirable image content (i.e. retrieved content compared to filter; column 8, lines 38-67).

In reference to claim 23, Therault discloses that the apparatus wherein the content category classification prediction is free of any user input and free of any relevancy as to a particular user, (i.e. non user definable filtering services; column 9, lines 14-29).

In reference to claims 24-26, Russell-Falla shows: the statistical modeling arrangement further having a statistical modeling module adapted to provided a third content category prediction based on a count of occurrences words in the content patterns matching words in a list of known undesirable words (column 6, lines 11-15; column 7, lines 19-29), and the analyzing means applying a weighting formula to the first, second

and the third content category predictions to provide said content category classification prediction :

Sathyanarayan shows the transmission interaction characteristics further including variations in content patterns within the packets of the transmission (i.e. transcoded data; column 3, lines 7-20; column 6, lines 33-52).

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla, Theriault and Sathyanarayan as applied to claim 1 above, and further in view of Baker et al. (US Patent 5,678,041), hereinafter referred to as Baker.

In reference to claim 14, Russell-Falla Theriault and Sathyanarayan show the apparatus wherein the communication terminals including at least one content server and at least one user communication terminal and the packets of information are intended for transmitted from the content server to the user communication terminal (i.e. web delivery system; column 1, line 65-column 2, line 10; column 6, lines 3-9), and classifying according to the classification predicted by the analyzing means (column 2, lines 39-62). Although the reference discloses classifying web pages (i.e. GOOD or BAD; column 7, lines 15-20), Russell-Falla and Theriault fail to expressly show classifying content servers that provide those aforementioned classified pages.

Nonetheless, it would have been obvious to accordingly modify the apparatus, as disclosed by Russell-Falla, Theriault and Sathyanarayan, for one of ordinary skill in the art at the time of invention as further evidenced by Baker.

In an analogous art Baker discloses classifying (i.e. rating) content servers (i.e. uniform resource locators) in order to regulate network information that is subsequently

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accessed by users (column 3, lines 6-33; column 5, lines 65 to column 6, line 23; Figure 1-item 116; Figure 2-item 202). Given this feature a person of ordinary skill in the art would have readily recognized the advantages of modifying the aforementioned apparatus as disclosed by Russell-Falla, Theriault and Sathyanarayan, in order to selectively control network (i.e. Internet) access without impairing the users ability to communicate with servers via the network, (column 2, lines 63 to column 3, line 5).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to


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LaShanya R Nash whose telephone number is (571) 272-3957. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShanya Nash
Art Unit, 2153
August 23, 2007



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
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